REMARKS

Claims 63-66 stand rejected under 35 USC 103(a) as being unpatentable over Toh et al. in view of Haber et al. Claims 67-68 stand rejected under 35 USC 103(a) as being unpatentable over Toh et al. Applicant respectfully disagrees with the Examiner's analysis of the claims, but has presented new claims 73-78 that more clearly distinguish the present invention over the cited prior art. Applicant reserves the right to pursue the subject matter of rejected claims 63-68 in one or more continuation applications.

Claim 73 requires that the operations of (b) generate **a first data file at the end of a predetermined dated audit period**. The subsequent operations of (c) generate a single hash value of said first data file**, the single hash value corresponding to said predetermined dated audit period**. The subsequent operations of (e) creates at the remote location **a second data file for said predetermined dated audit period**. The subsequent operations of (f) generate **a hash value for said second data file that corresponds to said predetermined dated audit period**. And the subsequent operations of (g) publishes said hash value for said second data file in a dated journal of record published in numerous copies and held in separate public libraries, **wherein the published hash value for said second data file corresponds to said predetermined dated audit period**. Nowhere does the cited prior art teach or suggest these features

Toh employs a hash algorithm on random data to generate a hash that is encrypted, together with a sender's private key, sent along with a data package from a

sender to an operations center. The operations center uses the sender's public key to decrypt the hash value received from the sender, utilizes the same hash algorithm on the original random data to derive a hash value, and checks that the decrypted hash value matches the derived hash value in order to authenticate that the sender sent the message. Furthermore, as the examiner appears to acknowledge, Toh does not address the use of hash values to authentic a plurality of data items, let alone the steps of (b) to (h) as recited in claim 73.

Haber does not remedy the shortcomings of Toh. More specifically, Haber describes a methodology where users transmit requests 20 for certification of digital documents to a remote service bureau. The service bureau derives a hash for each document and then combines the hash values for the different documents based upon one-way hash functions derived from a binary tree or other combinatorial data structure. See col. 5, line 37 to col. 6, line 41 and col. 11, lines 8-15 of Haber. The root of the binary tree is published. See col. 6, lines 30-58 of Haber. The service bureau also creates an authentication certificate that combines location values, an identifier of the root binary tree structure and other values. This certificate is communicated back to the user and can be used to verify the authenticity of the document from which the root was derived. See col. 8, lines 7-33 of Haber. Importantly, Haber does not teach or suggest generating any **data file at the end of a predetermined dated audit period**, and subsequently generating a single hash value of said first data file**, the single hash value corresponding to said predetermined dated audit period** as required by operations of (b) and (c) of claim 73. Instead, the operations of Haber are triggered by requests

communicated to the service bureau. Furthermore, Haber does not teach or suggest the subsequent operations of (e), (f) and (g) where the respective data **corresponds to the predetermined dated audit period**.

Importantly, the data authentication methodology of the claimed invention provides an audit trail for data generated over a specific time period. This is important in many applications where data files can change over time, such as email exchanges and financial transactions. The cited prior art does not address these particular problems.

Thus, the cited prior art fails to teach or suggest important features of claim 73. For these reasons, claim 73 is clearly patentable over the cited prior art.

The dependent claims 74-78 are patentable over the cited prior art for those reasons advanced above with respect to claim 73 from which they respectively depend and for reciting additional features that are neither taught nor suggested by the cited prior art.

In light of all of the above, it is submitted that the claims are in order for allowance, and prompt allowance is earnestly requested. Should any issues remain outstanding, the Examiner is invited to call the undersigned attorney of record so that the case may proceed expeditiously to allowance.

Respectfully submitted,

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October 20, 2010